

### **DETAILED ACTION**

1. This communication is in response to Applicants' amendment filed February 28, 2008. Claims 3, 4, 6, 7, and 9-20 have been canceled. Claims 1, 2, 5, and 8 are currently pending in this case. Claim 2 is currently amended.

#### ***Response to Arguments***

2. Applicant's arguments, see Applicants' Amendment, filed February 28, 2008, with respect to the section 112 rejection of claim 2 have been fully considered and are persuasive with respect to claim 2 as currently amended. The section 112 rejection of claim 2 has been withdrawn.

3. Applicant's arguments filed February 28, 2008 with respect to the section 102 rejections of claim 1, 5, and 8 have been fully considered but they are not persuasive.

4. With respect to claims 1, 2, 5 and 8, we note that Kennedy discloses a clearinghouse for information regarding transactions such that transactions are tracked by means of the information relating to them. Kennedy discloses a global information clearinghouse (GCCIC) ("clearinghouse" fig 1-22), comprising: a GCCIC system having a central information repository ("platform" col 4 ln 25-40) wherein information related to various transactions (in the case of the instant application it is transactions with respect to transportation of goods, in Kennedy the transactions have to do with cell phone usage, nevertheless they are both tracking information regarding transactions) wherein information is processed and stored, the repository, comprising: a processor section including routines to operate the GCCIC(e.g. col 4 ln 40-55), a transaction section that tracks transactions recorded in the GCCIC, and a data section that records the

information and provides an interface to users of the GCCIC (e.g. col 4 ln 56-65, col 6 ln 1-10, col 6 ln 28-32); and a set of rules for operation of the GCCIC (e.g. col 4 ln 40-55). It is inherent that the clearinghouse tracks transactions via information thereon, what type of transaction is moot.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 5, and 8 are rejected under 35 U.S.C. 102(b) as being unpatentable over Kennedy, II et al (US 6,240,295).

7. Regarding claim 1 –

Kennedy discloses a global information clearinghouse (GCCIC) ("clearinghouse" fig 1-22), comprising: a GCCIC system having a central information repository ("platform" col 4 ln 25-40) wherein information related to transactions is processed and stored, the repository, comprising: a processor section including routines to operate the GCCIC(e.g. col 4 ln 40-55), a transaction section that tracks transactions recorded in the GCCIC, and a data section that records the information and provides an interface to users of the GCCIC (e.g. col 4 ln 56-65, col 6 ln 1-10, col 6 ln 28-32); and a set of rules for operation of the GCCIC (e.g. col 4 ln 40-55).

8. As above, we note that Kennedy discloses a clearinghouse for information regarding transactions such that transactions are tracked by means of the information

relating to them. Kennedy discloses a global information clearinghouse (GCCIC) ("clearinghouse" fig 1-22), comprising: a GCCIC system having a central information repository ("platform" col 4 ln 25-40) wherein information related to various transactions (in the case of the instant application it is transactions with respect to transportation of goods, in Kennedy the transactions have to do with cell phone usage, nevertheless they are both tracking information regarding transactions) wherein information is processed and stored, the repository, comprising: a processor section including routines to operate the GCCIC (e.g. col 4 ln 40-55), a transaction section that tracks transactions recorded in the GCCIC, and a data section that records the information and provides an interface to users of the GCCIC (e.g. col 4 ln 56-65, col 6 ln 1-10, col 6 ln 28-32); and a set of rules for operation of the GCCIC (e.g. col 4 ln 40-55). It is inherent that the clearinghouse tracks transactions via information thereon, what type of transaction is moot.

9. Regarding claim 5 –

Kennedy discloses an Information Clearinghouse (GCCIC) ("clearinghouse" fig 1-22); comprising: a set of rules for operation of the GCCIC system (e.g. col 4 ln 40-55).

10. As above, we note that Kennedy discloses a clearinghouse for information regarding transactions such that transactions are tracked by means of the information relating to them. Kennedy discloses a global information clearinghouse (GCCIC) ("clearinghouse" fig 1-22), comprising: a GCCIC system having a central information repository ("platform" col 4 ln 25-40) wherein information related to various transactions (in the case of the instant application it is transactions with respect to transportation of

goods, in Kennedy the transactions have to do with cell phone usage, nevertheless they are both tracking information regarding transactions) wherein information is processed and stored, the repository, comprising: a processor section including routines to operate the GCCIC (e.g. col 4 ln 40-55), a transaction section that tracks transactions recorded in the GCCIC, and a data section that records the information and provides an interface to users of the GCCIC (e.g. col 4 ln 56-65, col 6 ln 1-10, col 6 ln 28-32); and a set of rules for operation of the GCCIC (e.g. col 4 ln 40-55). It is inherent that the clearinghouse tracks transactions via information thereon, what type of transaction is moot.

11. Regarding claim 8 –

Kennedy discloses a method for operation of an Information Clearinghouse (GCCIC) ("clearinghouse" fig 1-22), comprising: providing a GCCIC system including a central information repository ("platform" col 4 ln 25-40); providing a set of rules for operating the GCCIC system (e.g. col 4 ln 40-55); and monitoring compliance with the adopted rules. (e.g. col 7 ln 4-18).

As above, we note that Kennedy discloses a clearinghouse for information regarding transactions such that transactions are tracked by means of the information relating to them. Kennedy discloses a global information clearinghouse (GCCIC) ("clearinghouse" fig 1-22), comprising: a GCCIC system having a central information repository ("platform" col 4 ln 25-40) wherein information related to various transactions (in the case of the instant application it is transactions with respect to transportation of goods, in Kennedy the transactions have to do with cell phone usage, nevertheless they are

both tracking information regarding transactions) wherein information is processed and stored, the repository, comprising: a processor section including routines to operate the GCCIC (e.g. col 4 ln 40-55), a transaction section that tracks transactions recorded in the GCCIC, and a data section that records the information and provides an interface to users of the GCCIC (e.g. col 4 ln 56-65, col 6 ln 1-10, col 6 ln 28-32); and a set of rules for operation of the GCCIC (e.g. col 4 ln 40-55). It is inherent that the clearinghouse tracks transactions via information thereon, what type of transaction is moot.

### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy in view of "Farmer's Mutual Benefit Association".

14. Regarding claim 2 –

Mutual benefit associations are old and well-known. See, e.g. "Farmer's Mutual Benefit Association" ([http://en.wikipedia.org/wiki/Farmers'\\_Mutual\\_Benefit\\_Association](http://en.wikipedia.org/wiki/Farmers'_Mutual_Benefit_Association)). Such associations include different entities which may or include both private and public sector entities, and they propose or make up rules to be followed by all of them. See also <http://delcode.delaware.gov/title18/c055/index.shtml>.

15. KSR forecloses Appellant's argument that a specific teaching is required for a finding of obviousness. KSR, 127 S.Ct. at 1741, 82 USPQ2d at 1396. Further, Applicants are merely taking known elements and combining them to obtain a predictable result.

16. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### ***Conclusion***

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CRISTINA OWEN SHERR whose telephone number is (571)272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571)272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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